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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
CIVIL MINUTES—  
GENERAL

Case No. 5:22-cv-02228-SSS-SPx

Date June 27, 2023

Title *Jesus Barajas v. Walmart, Inc.*

Present: The Honorable SUNSHINE S. SYKES, UNITED STATES DISTRICT JUDGE

Irene Vazquez

Not Reported

Deputy Clerk

Court Reporter

Attorney(s) Present for Plaintiff(s):

Attorney(s) Present for Defendant(s):

None Present

None Present

**Proceedings: ORDER DISMISSING PLAINTIFFS' CLAIM FOR  
FAILURE TO AMEND THE COMPLAINT**

On May 11, 2023, the Court granted Defendant Walmart Inc.'s ("Walmart") Motion to Dismiss Plaintiff Jesus Barajas' Complaint. [Dkt. 17]. In the Court's Order, the Court found that Barajas was unable to state a claim for: (1) breach of implied contract, (2) breach of implied covenant of good faith and fair dealing, and (3) age discrimination. [Dkt. 17]. Accordingly, the Court granted Walmart's motion in its entirety. [Dkt. 17 at 7–8]. The Court further granted Barajas leave to amend his Complaint in order to cure his Complaint's deficiencies and allege sufficient facts to support his breach of implied contract, breach of implied covenant of good faith and fair dealing, and age discrimination claims. [Dkt. 17 at 7–8]. Barajas' amended complaint was due on or before May 19, 2023. [Dkt. 15 at 3]. As of the date of this order, Barajas has not filed an amended complaint. Accordingly, Barajas' Complaint is hereby **DISMISSED WITH PREJUDICE**. *See American Western Door & Trim v. Arch Specialty Insurance Co.*, No. CV 15-00153-BRO (SPx), 2015 WL 1308440, at \*1 (C.D. Cal. April 15, 2015) ("A district court may dismiss an action with prejudice when a plaintiff fails to file an amended complaint within the allotted time period."); *see also Cabello v. City of Phoenix*, 387 F. App'x 709, 710 (9th Cir. 2010).

**IT IS SO ORDERED.**